REMARKS

Claims 2, 5-9, 11, 14-18, 20 and 21 are pending in this application, of which Claims 6, 7, 15, 16, 20 and 21 are independent. Claims 7 and 16 have been amended to define still more clearly what Applicant regards as his invention; Applicant intends these changes merely to clarify the claim language, and neither intends nor believes them to make any change to the claim scope.

Claims 2, 5-9, 11, 14-18, 20 and 21 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent Application Publication 2002/0012521 A1 (Nagasaka et al.) in view of U.S. Patent 6,608,964 B1 (Saito). Applicant has carefully studied the Office Action and its predecessors, and the prior art relied upon therein, but finds himself unable to agree with the propriety of the rejection.

The features recited respectively in independent Claims 6 and 7 have been extensively discussed in previous papers, as has the prior art, and it is not deemed necessary to repeat that discussion in full. Among other features recited in those two claims and not believed to be taught or suggested by the art of record is "designating means for designating an image that corresponds to a scene that is the object of a search *and the number of scenes included in a moving picture* [emphasis added]", as recited in Claim 6, and similarly, the "designating means for designating an image that corresponds to a scene that is the object of a search *and time length of scenes included in a moving picture* [emphasis added]" recited in Claim 7. Thus, according to these respective claims, one important feature of the claimed apparatuses is to designate an image that corresponds to a start scene to be searched and time length of scenes or the number of scenes included in a

moving picture, respectively. according to both claims, the scenes extracted in this fashion are combined into a single moving picture.

One example of a use to which either of these apparatuses might be put, is to generate a single moving picture comprising plural episodes of a serial television show, in which the episodes are each of the same length, by extracting and combining the episodes from a recorded one week of TV programs. The claimed apparatuses enable a user to designate a scene that is the object of the search (in other words, a start scene or opening image that is common to all the episodes that are to be extracted) and the number of scenes (Claim 6) or time length of the scenes of the daily dramas (Claim 7).

The Office Action relies upon *Nagasaka* as disclosing the designation of a scene length of a moving picture to be displayed, by means of a keyboard. Applicant respectfully points out, however, that the *Nagasaka* apparatus divides a moving picture into segments having some specific feature in common (for example, color or shape), extracts all such segments having a specific common feature and having the designated scene length, and lists each of the extracted same-feature segments in a feature table, as shown in Fig. 3 (see paragraph [0036]). These same-feature segments form a section made up of scenes each of which has the same feature. Applicant strongly asserts that this does not in any teach or suggest a section consisting of a portion from one scene change frame to the next scene change frame, as is obtained using the apparatus of either Claim 6 or Claim 7.

The object of *Nagasaka*, as explained in the mentioned paragraph [0036], is to compress queried images to a minimum quantity of information which can represent the features thereof so as to store more types of queried images and compare them in real time,

at one time. In order to achieve this object, the *Nagasaka* apparatus performs an extraction of the described same-feature segments from the moving pictures.

Therefore, if the arrangement of *Nagasaka* were attempted to be applied to the example described above, the result of the extraction would merely be same-feature segments reproduced sequentially, and not a portion from one scene-change to the next one. Specifically, according to the arrangement of *Nagasaka*, start scenes (in the example, the opening image used for each episode of the serial), each of which has the same feature, is only reproduced as a single moving picture. The arrangement of *Nagasaka* apparatus does not extract and combine daily (for example) episodes from a recording of one week (for example) of TV programs, nor reproduce a combination of such daily episodes as a single moving picture, as would be obtained using the apparatus of either Claim 6 or Claim 7.

Accordingly, it is believed to be plain that Claims 6 and 7 are allowable over *Nagasaka* taken alone.

The Office Action reads *Saito* as disclosing the designation of the number of scenes or time length of scenes to be extracted from a moving picture. The portion of *Saito* relied upon by the Examiner describes designating the number of scenes or the time length (for example 0.5 second) of scenes to be extracted from one display interval (for example 30 frames/second) in a moving picture to display the extracted scene (15 frames). he Office Action attempts to propose a way to combine this with the *Nagasaka* apparatus so as to meet the terms of Claims 6 and 7, but in Applicant's view, the proposed combination would not conceivably meet the terms of either of those claims.

Rather, even assuming the proposed combination would be a permissible one, the result would be an apparatus that can only display predetermined scenes, *each of which has the same features* (as in *Nagasaka*). There is simply nothing in either of these documents that would suggest, or even hint at, modifying the way *Nagasaka* works as would be required to produce a combined sequence including (still referring to the illustrative example discussed above) individual episodes of a series, combined into one sequential moving picture, as would be obtained with the apparatuses of Claims 6 and 7. Accordingly, Applicant believes it clear that both claims are allowable over *Saito*, taken alone or in any possible combination with *Nagasaka* (if any)

The other independent claims are each, variously, a method or a computer memory-medium claim respectively corresponding to apparatus Claim 6 or 7, and are believed to be patentable for at least the same reasons as discussed above in connection with the latter claims.

A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

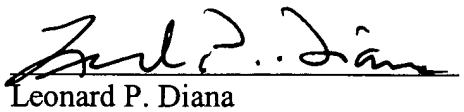
The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. In any event, however, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, he is respectfully requested to contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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